

United States Government

Department of Energy

Albuquerque Field Office

memorandum

1993

DATE: AUG. 03 1993

REPLY TO
ATTN OF: RETD

SUBJECT: DOE Procedure for Identification, Review, and Approval of Special Access Programs (SAPs) Performed for Non-DOE Sponsors

TO: S. Hecker, Director, Los Alamos National Laboratory
A. Narath, President, Sandia National Laboratories

The memorandum dated May 14, 1993, from Everett H. Beckner, Acting Assistant Secretary for Defense Programs, to Operations Office Managers (Attachment 1) is provided for your immediate implementation in conjunction with appropriate AL Staff and HQ Staff. The Defense Programs (DP) memorandum references National Security Agency and DOE Inspector General recommendations covering DOE's oversight and control of SAPs, identifies the DP point-of-contact for all SAPs, and includes procedural requirements for SAPs funded by non-DOE Sponsors.

Attachment 2 is a flowchart which depicts the SAP procedure as described in the DP memorandum of May 14, 1993, and which distinguishes between DOE's review and approval of intelligence-related and non-intelligence Work for Others (WFO) SAP projects. As you know, the process depicted for intelligence-related SAPs is also applicable to non-SAP projects funded by the intelligence community. I recognize that, in large part, you currently adhere to provisions of the procedure depicted. For example, the process flow for intelligence-related WFO projects is currently followed.

DOE personnel who should be knowledgeable as defined in the DP May 14, 1993, memorandum depends on numerous considerations all of which must be consistent with the "need to know" security principle. In addition to knowledgeable HQ personnel, AL personnel who are to be knowledgeable will be identified for each WFO SAP project. Specific AL personnel who are to be "read-in" prior to DOE acceptance of funding and authorization of work to begin will be identified.

For all SAPs, and in addition those Special Access Required (SAR) activities that are not SAPs, the AL Deputy Manager or I must be knowledgeable of all work performed at AL facilities and/or by AL M&O contractor personnel. In addition, at least one representative of AL's Security and Nuclear Safeguards Division (SNSD) must be knowledgeable. In

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this regard, there is also an existing requirement that each SAR/SAP be registered as a security interest through completion of a Facility Data and Approval Record (FDAR) and that an initial and annual security survey of non-intelligence SRS/SAPs be conducted by representatives of SNSD. Additional AL personnel to be knowledgeable, i.e., "read in," will depend on whether the WFO project is intelligence-related or non-intelligence work and which AL office is responsible for the WFO project review and approval and funding acceptance. As an example, for WFO projects under the purview of the Reimbursable and Energy Technologies Division (RETID), the Director, who also serves as the Contracting Officer who certifies compliance with DOE policy and accepts the funding, must be knowledgeable. Additional "read-ins" for RETID staff have been requested on several occasions to expedite DOE's WFO project review and approval, and non-DOE sponsors have agreed. Also, an example where additional "read-ins" would be necessary is a WFO project for which the DOE has responsibility for an Environmental Assessment or Environmental Impact Statement in accordance with the National Environmental Policy Act.

In summary, the DOE continues to address concerns regarding its oversight and control of classified WFO projects and, in particular, SAR/SAPs. I recognize the need to minimize the number of personnel who are knowledgeable of SAR/SAPs. Accordingly, the "need-to-know" principle will be adhered to, while at the same time assuring appropriate AL personnel are knowledgeable of SAR/SAPs. Questions regarding this memorandum may be directed to Bob Lowrey, Director, RETID, FTS (505) 845-6047, or David A. Gurule, Director, SNSD, FTS (505) 845-6293.


Bruce G. Twining
Manager

2 Attachments

cc w/attachments:

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cc w/o attachments:

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